08-13555-mg Doc 48669 Filed 02/26/15 Entered 02/26/15 17:42:56 Main Document CIVIL PEOVER SHEET

JS 44C/SDNY REV. 1/2014

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

| PLAINTIF  | Ee                                 |  | ·                        | DEFENDANTS  |                        |   |  |  |  |  |  |
|---|------------------------------------|--|--------------------------|---|------------------------|---|--|--|--|--|--|
| Virailio Ca   | asuple. Darian J.                  | Cohen, Lars P. Jacobson  | , Mary Langevin, Amit    | Lehman Brothers Holdings Inc. (the "Appellee")  |                        |   |  |  |  |  |  |
| K. Sarkar   | , Christian E. Ste                 | vens, & Andrew Wideman   | (the "Appellants")       |   |                        |   |  |  |  |  |  |
|   |                                    | E, ADDRESS, AND TELEI  | PHONE NUMBER             | ATTORNEYS (IF KNOWN   |                        |   |  |  |  |  |  |
| 355 S. Gr<br>424 , 258  | 3 . 0777                           | 2450, Los Angeles, CA 900  | -                        | WEIL, GOTSHAL & MANGES LLP, 767 Fifth Avenue, New York, NY 10153 212 . 310 . 8000   |                        |   |  |  |  |  |  |
| CAUSE C   | OF ACTION (CITE                    | THE U.S. CIVIL STATUTE U   | NDER WHICH YOU ARE FIL   | ING AND WRITE A BRIEF ST  | ATEMENT OF CAUSE)      | \ <u>\</u>  |  |  |  |  |  |
|   |                                    | NOT CITE JURISDICTIONAL  |                          |   | 00 40555 (000)         |   |  |  |  |  |  |
| 28 U.S.   | Code § 158. A                      | ppeal of a Final Order o   | of the U.S. Bankruptcy   | Court, S.D.N.Y. Case N  | 0.08-13555 (SCC)       |   |  |  |  |  |  |
| Has this o  | or a similar case i                | been previously filed in SE  | NY at any time? No       | Yes Judge Previou   | usly Assigned          |   |  |  |  |  |  |
| If yes, wa  | s this case Vol.                   | ☐ Invol. ☐ Dismissed.  | No Yes If yes,           | give date   | & Case No              |   |  |  |  |  |  |
| ÎS THIS AN  | I INTERNATIONAL A                  | RBITRATION CASE? No  | X Yes □                  |   |                        |   |  |  |  |  |  |
| (PLACE  | AN [x] IN ONE B                    | OX ONLY)   | NATURE OF S              | SUIT  |                        | 2   |  |  |  |  |  |
| •   |                                    | TORTS  |                          |   | ACTIONS UNDER STATUTES |   |  |  |  |  |  |
| CONTRACT  | г                                  | PERSONAL INJURY  | PERSONAL INJURY          | FORFEITURE/PENALTY  | BANKRUPTCY             | OTHER STATUTES  |  |  |  |  |  |
| []110<br>[]120<br>[]130<br>[]140<br>[]150<br>[]150<br>[]151<br>[]152<br>[]153<br>[]160<br>[]195<br>[]196 FR<br>REAL PRO<br>[]210<br>[]220<br>[]230<br>[]240<br>[]245<br>[]290 |                                    | [ ] 310 AIRPLANE [ ] 315 AIRPLANE PRODUCT LIABILITY [ ] 320 ASSAULT, LIBEL & SLANDER [ ] 330 FEDERAL EMPLOYER' LIABILITY [ ] 340 MARINE [ ] 345 MARINE PRODUCT LIABILITY [ ] 350 MOTOR VEHICLE PRODUCT LIABILITY [ ] 360 OTHER PERSONAL INJURY  ACTIONS UNDER STATUTES CIVIL RIGHTS [ ] 441 VOTING [ ] 442 EMPLOYMENT [ ] 443 HOUSING/ ACCOMMODATIONS [ ] 444 WELFARE [ ] 445 AMERICANS WITH DISABILITIES - OTHER [ ] 440 OTHER CIVIL RIGHTS ( Non-Prisoner) |                          | PROPERTY 21 USC 881 []630 LIQUOR LAWS []640 RR & TRUCK []650 AIRLINE REGS []660 OCCUPATIONAL SAFETY/HEALTH []690 OTHER  LABOR []710 FAIR LABOR STANDARDS ACT []720 LABOR/MGMT RELATIONS []730 LABOR/MGMT REPORTING & DISCLOSURE ACT []740 RAILWAY LABOR AC []750 OTHER LABOR LITIGATION |                        | [] 400 STATE REAPPORTIONMENT [] 430 BANKS & BANKING [] 430 COMMERCE [] 460 DEPORTATION ENCED & CORRUPT ORGANIZATION ACT (RICO) [] 480 CONSUMER CREDIT [] 490 CABLE/SATELLITE TV [] 810 SELECTIVE SERVICE [] 850 SECURITIES/ COMMODITIES/ EXCHANGE [] 875 CUSTOMER CHALLENGE 12 USC 3410 [] 890 OTHER STATUTORY ACTIONS [] 891 AGRICULTURAL ACTS [] 892 ECONOMIC STABILIZATION ACT [] 893 ENVIRONMENTAL MATTERS [] 894 ENERGY ALLOCATION ACT [] 895 FREEDOM OF INFORMATION ACT [] 900 APPEAL OF FEE DETERMINATION UNDER EQUAL ACCESS TO JUSTICE [] 950 CONSTITUTIONALITY OF STATE STATUTES |  |  |  |  |  |
| _   | heck if demande                    |  |                          | VI THIS CASE IS RELATE  | O TO A CIVIL CASE NOW  | PENDING IN S.D.N.Y.?  |  |  |  |  |  |
| UNDER F.R.C.P. 23   |                                    |  | IF SO, STATE:            | IF SO, STATE:   |                        |   |  |  |  |  |  |
| DEMAI   | ND \$                              | OTHER  | JUDGE Cha                | pman (Bankruptcy C  | OUR) DOCKET NUM        | BER 08-13555 (SCC)  |  |  |  |  |  |
| DEMAI   | HECK IF THIS IS<br>NDER F.R.C.P. I | S A CLASS ACTION 23  OTHER  Indeed in complaint  | IF SO, STATE:  JUDGE Cha | pman (Bankruptcy C  |                        | BER 08-13555  |  |  |  |  |  |

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| (PLACE AN x IN O                      | NE BOX ONLY)  |                                     | ORIGIN                                |                    |   |                            |  |  |  |  |
|---------------------------------------|---|-------------------------------------|---------------------------------------|--------------------|---|----------------------------|--|--|--|--|
| 2 1 Original<br>Proceeding            | 2 Removed from State Court  a. all parties represen | 3 Remanded from Appellate Court     | 4 Reinstated or Reopened              |                    | ansferred from 🔲 6<br>pecify District)                                  | Multidistrict  Litigation  | 7 Appeal to District<br>Judge from<br>Magistrate Judge<br>Judgment |  |  |  |
|                                       | b. At least one party is pro se.                    |                                     |                                       |                    |   |                            |  |  |  |  |
| (PLACE AN x IN OI                     | NE BOX ONLY)  |                                     | ASIS OF JURIS                         |                    |   | IF DIVERSIT<br>CITIZENSHIF |  |  |  |  |
| 1 U.S. PLAINTIF                       | FF 2 U.S. DEFEND                                    |                                     | RAL QUESTION<br>NOT A PARTY)          | ∏4 DIVE            | ERSHY   | (28 USC 133                |  |  |  |  |
|                                       | CITIZENS  | HIP OF PRINCIF                      | PAL PARTIES (F                        | OR DIVER           | RSITY CASES   | ONLY)                      |  |  |  |  |
| (Place an [X]                         | in one box for Plaintiff ar                         | nd one box for Defen                | dant)                                 |                    |   |                            |  |  |  |  |
| CITIZEN OF THIS STA                   | PTF DEF<br>TE []1 []1                               | CITIZEN OR SUBJECT                  |                                       | PTF DEF<br>[]3 []3 | INCORPORATED <u>and</u> PRINCIPAL PLACE<br>OF BUSINESS IN ANOTHER STATE | PTF DEF<br>[ ]5 [ ]5       |  |  |  |  |
| CITIZEN OF ANOTHER                    | RSTATE []2 []2                                      | INCORPORATED or<br>OF BUSINESS IN T | PRINCIPAL PLACE<br>'HIS STATE         | []4[]4             | FOREIGN NATIC   | N                          | []6 []6  |  |  |  |
| PLAINTIFF(S) AD                       | DRESS(ES) AND CO                                    | UNTY(IES)                           |                                       |                    |   |                            |  |  |  |  |
| Various including New York County, NY |   |                                     |                                       |                    |   |                            |  |  |  |  |
|                                       |   |                                     |                                       |                    |   |                            |  |  |  |  |
|                                       |   |                                     |                                       |                    |   |                            |  |  |  |  |
|                                       |   |                                     |                                       |                    |   |                            |  |  |  |  |
| DEFENDANT(S)                          | ADDRESS(ES) AND (                                   | COUNTY(IES)                         |                                       | <del>.</del>       |   |                            |  |  |  |  |
| Various including New York County, NY |   |                                     |                                       |                    |   |                            |  |  |  |  |
|                                       | •   | _                                   |                                       |                    |   |                            |  |  |  |  |
|                                       |   |                                     |                                       |                    |   |                            |  |  |  |  |
|                                       |   |                                     |                                       |                    |   |                            |  |  |  |  |
| DEFENDANT(S)                          | ADDRESS UNKNOW                                      | N                                   |                                       |                    |   |                            | DT - 11 / TI / E   |  |  |  |
| REPRESENTA?                           | TION IS HEREBY MADE<br>RESSES OF THE FOLLO          | THAT, AT THIS TIM                   | E, I HAVE BEEN UI<br>'S:              | NABLE, WITH        | I REASONABLE D  | ILIGENCE, TO ASCE          | RTAIN THE  |  |  |  |
| REGIDENCE REGIN                       |   |                                     |                                       |                    |   |                            |  |  |  |  |
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|                                       |   |                                     |                                       |                    |   |                            |  |  |  |  |
| Check one: THI                        | IS ACTION SHOULI                                    | D BE ASSIGNED                       |                                       | /HITE PL           |   | MANHATTAN                  |  |  |  |  |
|                                       | 4 SIGNATURE OF ATT                                  |                                     |                                       | AD                 | MITTED TO PRAC  | TICE IN THIS DISTR         | ІСТ  |  |  |  |
|                                       |   |                                     | -1                                    | []                 | NO<br>YES (DATE ADMI  | TTED Mo                    | Yr)  |  |  |  |
| RECEIPT#                              |   |                                     |                                       | Atte               | orney Bar Code #  | Pro Hac Vice Applicat      | tion Pending   |  |  |  |
| Magistrate Judo                       | ge is to be designate                               | ed by the Clerk o                   | f the Court.                          |                    |   |                            |  |  |  |  |
| Magistrate Judg                       | je  |                                     | · · · · · · · · · · · · · · · · · · · |                    | is  | so Designated.             |  |  |  |  |
| _                                     | Clerk of Court by _                                 |                                     |                                       |                    |   | ·                          |  |  |  |  |
|                                       | DISTRICT COURT (                                    |                                     |                                       |                    |   |                            |  |  |  |  |